

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

James P. Fahy, )  
                    )  
Plaintiff,       )     **08-cv-02416-IPJ**  
                    )  
v.                )  
                    )  
Portfolio Recovery Associates, LLC, )  
                    )  
Defendant.       )

**PLAINTIFF'S NOTICE OF DISMISSAL WITH PREJUDICE**

COMES NOW the Plaintiff, James P. Fahy, and hereby files this Notice of Dismissal. As grounds therefore, the Plaintiff states as follows:

1. The Plaintiff's Complaint was filed on December 29, 2008.
2. The Defendant, Portfolio Recovery Associates, LLC, was served with Plaintiff's Complaint on January 12, 2009.
3. The Defendant has not filed an Answer or a Motion for Summary Judgment.
4. The parties have resolved their claims.
5. Pursuant to FRCP 41(a)(1)(i), the Plaintiff files this Notice of Dismissal with the intention of dismissing this matter against the Defendant with prejudice.

Respectfully Submitted,

/s/ Penny Hays Cauley

Penny Hays Cauley (ASB-6309-A63P)

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I also certify that I have mailed by United States Postal Service, the document to the following non-CM/ECF participants:

Christopher D. Lagow, Counsel  
Portfolio Recovery Associates  
140 Corporate Boulevard  
Norfolk, VA 23502

/s/ Penny Hays Cauley

Penny Hays Cauley (ASB-6309-A63P)